

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JANET DUNN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
KAREN GOODHUE, TREASURER
DINO F. BUCCI, JR, TRUSTEE
CLIFFORD W. FREITAS, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: ROGER KRZEMINSKI, TRUSTEE – EXCUSED ABSENCE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Pat Meagher, Planning Consultant
James VanTiflin, Township Engineer Director
(Additional attendance on file at the Clerk's Office)

Supervisor DUNN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited and lead by Boy Scout Justin Wylin.

ROLL CALL

1. Clerk KOEHS called the roll and Trustee Roger KRZEMINSKI was absent.
2. Approval of Agenda Items (with any corrections)

The agenda was reviewed and item 5-A-2 was corrected. The authorization to purchase two Ford Vehicles to Three Ford Vehicles, 5-B-7 was added, the letter of understanding for the Michigan Association of Public Employees and Item #12 was tabled to the meeting of August 14, 2013.

MOTION by BUCCI seconded by NEVERS to approve the agenda as amended.

MOTION carried.

3. Approval of the Bills

MOTION by NEVERS seconded by GOODHUE to approve the payment of both bill runs as presented.

MOTION carried.

4. Approval of the previous Meeting Minutes from July 10, 2013.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

MOTION by GOODHUE seconded by FREITAS to approve the meeting minutes of July 10, 2013 as presented.

MOTION carried.

5. Consent Agenda Items:

A. Facilities and Grounds Department:

1. Authorization to Award Build-out for Two (2) offices on first floor at Town Hall.
2. Authorization to Purchase Three (3) Ford Vehicles for Building and Parks and Recreation Departments.
3. Authorization for Access Control System Improvements for Fire Department and Town Hall.

B. Human Resources Department:

1. Administrative Subject-Request Authorization to Advance Employee # 1616.
2. Administrative Subject-Request Authorization to Advance Employee # 75.
3. Request to Attend Michigan Public Employer Labor Relations Association's Annual Conference.
4. Request for Family Medical Leave of Absence-Broadcast Media Department.
5. Request for Personal Leave of Absence-Fire Department.
6. Request for Personal Leave of Absence-Fire Department.
7. Request to Sign Letter of Understanding for Michigan Association of Public Employees.

C. Fire Department:

1. Request to Replace 1999 Ford F250 Vehicle.

D. Water and Sewer Department:

1. Easement Encroachment: Lot 64, English Gardens Subdivision Sidwell # 08-05-151-015.
2. Easement Encroachment: Lot 122, Cambridge Commons Subdivision Sidwell # 08-21-180-008.
3. Easement Encroachment: Lot 16, Parkview Estates Subdivision Sidwell # 08-23-123-021.
4. Easement Encroachment: Lot 138, Indian Pointe Subdivision No. 2. Sidwell # 08-16-451-015.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

5. Request Authorization to Pay Advanced Underground Inspection LLC for Sanitary and Storm Maintenance.

E. Parks and Recreation Department

1. Authorization to run programs listed in the 2013 R.E.A.C.H Catalog.
2. Authorization to Mail the Fall 2013 R.E.A.C.H. Catalog.

MOTION by FREITAS seconded by GOODHUE to approve the Consent Agenda as amended earlier.

MOTION carried.

6. **Public Comments, Agenda Items Only**

NONE.

OLD BUSINESS

7. Review of Professional Services.
(*Tabled from July 10, 2013*)

Trustee Bucci thanked the Board Members for their patience and stated he appreciated the time and effort the Board Members gave to him as far as comments and suggestions regarding the professional services. Trustee Bucci mentioned he had only one suggestion and that would be to allow the O'Reilly Rancillio law firm to handle all legal work for the township and allow the present firm and new firm to work out the transition period.

MOTION by BUCCI seconded by FREITAS to approve the recommendation of the law firm O'Reilly Rancillio to handle the legal affairs for Macomb Township.

MOTION carried.

8. Request to Amend Macomb Township Zoning Ordinance; Chapter XXV; Traditional Neighborhood Development. (*Tabled from July 10, 2013*)

Mr. Pat Meagher spoke regarding the 2 versions of the amendment for the Town Center Area - Car Ports. Mr. Meagher stated Version A would allow Car Ports in the Town Center and Version B would not. Mr. Meagher stated his instructions for the Town Center Ordinance and Amendments, per the Town Center Committee, was to come up

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

with some real standards for the Town Center Ordinance regarding the architectural elements so there would be no confusion. Mr. Meagher mentioned he had clarified a lot of the language and eliminated a couple conflicts in particular regarding where garages can be located, stating it must be located 20 feet from the front of the porch. Mr. Meagher also spoke regarding another significant change, which is to allow 16 foot driveways instead of the 12 foot drives. His research found that most of the residents had 16 foot or larger driveways and this change was recommended by the Town Center Committee. Mr. Meagher mentioned that the other changes made to Section 10.2509, which are building design standards, the use of architectural breaks in the buildings, specifying what types of materials would be permitted and trying to define more clearly what the Town Center Committee wants regarding trim and certain window styles, but without telling the home designers what it has to look like, these are just some guide lines.

Phillip Leone, Developer in the Town Center Area, spoke regarding his reasons for the Car Ports. Mr. Leone stated with the 60 foot lots, you have 47 feet for the house; a garage is 22 feet which only leaves 25 feet for the house. Mr. Leone also stated "you end up with a box next to a box and there are not a whole lot of different elevations you can do". Mr. Leone requested the car ports be allowed only on the 60 foot lots. Mr. Leone also informed the Board that with the 47 foot roof line, you can create beautiful elevations that you can't get with the 22 or 25 foot roof lines. Mr. Leone mentioned all he wants is a nice architectural look and not the same cookie cutter design. Mr. Leone stated he spoke to the Association, showed them the plans and they seemed to be happy, they liked the concept. Mr. Leone stated "there is nothing in the Ordinance that stops him from building car ports and can't understand why it's being rejected in the first place".

Trustee Bucci asked Mr. Meagher if he was in favor of the Car Ports. Mr. Meagher stated there is a little dilemma as to how far the Township wants to get into the traditional home design; obviously the car ports would not be compatible or consistent with the surrounding area. Trustee Bucci then showed the petition signed by the residents, Trustee Bucci then stated, Mr. Leone said he got the approval from the residents and they are saying they don't want the car ports.

MOTION by BUCCI seconded by FREITAS to approve amendment Option B which does not allow Car Ports in the Traditional Neighborhood Development.

MOTION carried.

NEW BUSINESS

9. Request to Adopt Eagle Scout Resolution for Joseph W. Hennells.

Clerk Koebs Informed the Board of the accomplishments of Scout Hennells such as receiving the Arrow of Light, Treasurer for 2 years, has held the positions of Guide, Bugler, Patrol Leader, and Assistant Senior Patrol Leader. Scout Hennell

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

has completed all the requirements to become an Eagle Scout. Scout Hennells Code of Honor will be on Saturday, August 3, 2013. Clerk Koehs mentioned the Resolution request to declare August 3, 2013 as Joseph W. Hennells day in Macomb Township.

MOTION by KOEHS seconded by BUCCI to adopt a Resolution to Declare August 3, 2013 as Joseph W. Hennells day in Macomb Township.

Resolution Honoring
Eagle Scout

Joseph W. Hennells

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 24nd day of July, 2013 at 7:00 PM the following preamble and resolution were offered by member KOEHS and supported by member BUCCI:

Whereas, Joseph W. Hennells *started his scouting career with Pack 149 during which time he received his Arrow of Light; and,*

Whereas, Joseph W. Hennells *continued his scouting career with Boy Scout Troop 248 where he has distinguished himself; and,*

Whereas, Joseph W. Hennells *has earned numerous awards and served as Guide, Bugler, Treasure, Patrol Leader and Assistant Senior Patrol Leader and,*

Whereas, Joseph W. Hennells *is a student at Dakota High School where he is a member of the Senior Class and by his own actions, achievements and high moral standards has made himself a role model to other scouts and to his peers,*

Now Therefore Be It Resolved, *by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:*

That By These Presents, *the Macomb Township Board of Trustees recognizes the dedication, commitment and personal sacrifices Joseph W. Hennells has made to obtain the rank of Eagle Scout; and,*

Be It Further Resolved, *that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Joseph W. Hennells on his elevation to Eagle Scout and further extends its best wishes to Joseph in his future endeavors;*

Now Therefore, *the Macomb Township Board of Trustees hereby proclaims,*

Saturday, August 3, 2013

Joseph W. Hennells Day
In Macomb Township

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

YEAS: KOEHS, FREITAS, NEVERS, BUCCI, GOODHUE, DUNN

NAYS: NONE

ABSENT: KRZEMINSKI

MOTION carried, resolution declared adopted

Supervisor Dunn requested a motion to eliminate Trustee Krzeminski's name from the roll call votes due to his excused absence.

MOTION by KOEHS seconded by BUCCI to eliminate Trustee Krzeminski's name from any roll call.

MOTION carried.

10. Request to Sign Municipal Court Agreement.

Clerk Koehs mentioned to the Board that back in May the Board received and approved a final draft of the proposed agreement and requested it be signed by the leadership of Utica, Shelby Township and the Chief Judge of the 41-A District Court. This agreement was to set conditions that would apply if Macomb Township were to bring the 41-A District court to the Township. Clerk Koehs stated this agreement prevents the other Municipalities from pulling their activities out of the Court, and that would interfere with the revenue stream, and make payments uncertain. Clerk Koehs informed the Board that Shelby Township, the mayor of the City of Utica and the Chief Judge all have signed the agreement. The only one who has not signed was Macomb Township. Clerk Koehs stated this does not require or mandate the court to come here. The signing of the agreement will allow Plante Moran to conduct the study on the courts finances that was approved sometime ago.

MOTION by KOEHS seconded by NEVERS to authorize the Supervisor to sign the agreement for the 41-A District Court as submitted.

MOTION carried.

ENGINEER DEPARTMENT

11. Request to Consider Revised Agreement for Electronic File Transfers.

Mr. Van Tiflin, Township Engineer, mentioned at the last meeting the Board authorized the Supervisor to sign the Electronic Transfer Agreement with Spalding DeDecker, as long as certain language was removed per the Township

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

Attorney. Mr. Van Tiflin stated Spalding DeDecker was concerned with one of the documents, that being the Water System Model transfer without the indemnity clause. Mr. Van Tiflin informed the Board he has worked with Mr. Dloski to come up with the language that both parties can agree to. The indemnity clause has been changed, and the legal fees and court costs have been removed.

MOTION by NEVERS seconded by GOODHUE to authorize the Supervisor to sign the revised agreement for the Electronic Transfer of Files.

MOTION carried.

12. Request Authorization to Prepare Plans and Specifications for 21 Mile Road Improvements at Fire Station 2.

Tabled to the meeting of August 14, 2013.

13. Request to Award SCADA System Upgrade Bid.

Mr. Van Tiflin, Township Engineer, spoke regarding the three bids received for the SCADA System Upgrade. Mr. Van Tiflin mentioned the lowest bid was \$236,000.00 and the high end was \$339,000.00. Mr. Van Tiflin stated he and Mr. Wangelin have worked with the design engineer on the upgrades and are recommending the bid be awarded to Motor City Electronics in the amount of Two Hundred Fifty-Three Thousand Nine Hundred Thirty-Four Dollars (\$253,934.00).

MOTION by GOODHUE seconded by KOEHS to approve the request to award the SCADA System Upgrade to Motor City Electronics in the amount of Two Hundred Fifty-Three Thousand Nine Hundred Thirty-Four Dollars (\$253,934.00).

MOTION carried.

FIRE DEPARTMENT

14. Request to Purchase Extrication Equipment.

Deputy Chief Monroe stated the extrication equipment would be used in the new Mini Pumper. Deputy Chief Monroe informed the Board of what the Extrication equipment consisted of and that the new equipment will be battery operated with a battery pack and will not have tether cords that limit the usage. Deputy Chief Monroe is requesting to purchase the equipment from Apollo Fire Equipment in the amount of Thirty-One Thousand Dollars (\$31,000.00).

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

MOTION by FREITAS seconded by NEVERS to approve the request to purchase Extrication Equipment from Apollo Fire Equipment in the amount of Thirty-One Thousand Dollars (\$31,000.00).

MOTION carried.

Public Comments, Non-Agenda Items Only - (3 minute time limit)

None.

BOARD COMMENTS

15. Supervisor Comments

None

16. Clerk Comments

Clerk Koehs informed the Board that the Election Division has been working very hard and are in the testing stages for the Electronic Poll Books Manual. Clerk Koehs mentioned the Electronic Poll Books will allow the voters to simply pull out their State issued ID card or Driver License, swipe it through the card reader and it will record all the data and issue a Ballot Number. Clerk Koehs also mentioned training for the Chairs and Co-Chairs will start in two weeks to prepare for the 2014 Election Cycle.

17. Treasurer Comments

Treasurer Goodhue publicly thanked Veterans of Foreign Wars, Old Settlers Post #4659 and their Commander Larry Pretzer who is a resident of Macomb Township, for their donation of a wheel chair to the Township for those who are in need of assistance getting into the building. Treasurer Goodhue mentioned the wheelchair will be stored in the closet near the handicap ramp.

18. Trustees Comments

None

ADJOURNMENT

MOTION by BUCCI seconded by FREITAS to adjourn the Board of Trustees meeting at 7:32 p.m.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 24, 2013

MOTION carried.

Respectfully submitted,

Janet I. Dunn
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk